

REMARKS

A. Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the position that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the claim amendments and following remarks.

B. Claim Status

Claims 5-9 are pending and presented for further prosecution. Claims 1-4 had been cancelled.

Claim 5 has been amended to clarify the structures of the sink. In particular, Claim 5 now explicitly recites:

*a basin having side walls and a bottom wall, and
an opening is provided in said bottom wall;
a separation vessel underneath said basin
communicating with said basin via said opening ...;
and
an open/close means provided at the side of said
separation vessel at a place at said predetermined
water level, for recovering said separated oil content
floating, inside said separation vessel*

Support to the above amendments can be best seen from the figures 1-6.

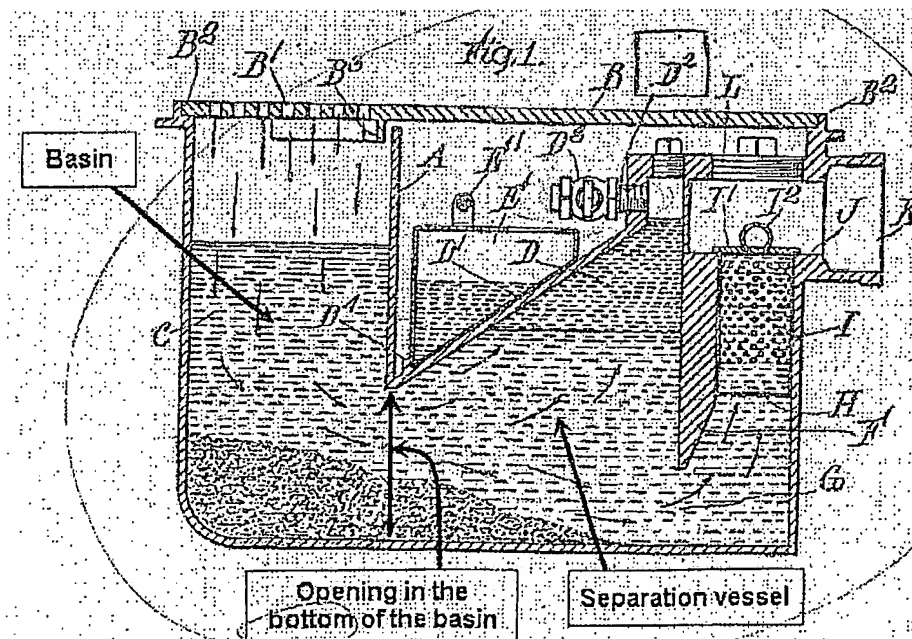
No new matter was introduced.

C. Claim Rejections under 35 USC § 102

Claims 5, 7 and 8 had been rejected under 35 U.S.C. 102(b) as being anticipated by Kelly. The Examiner cited fig. 1 of Kelly to teach a sink including all elements claimed in these claims, including a basin having a bottom with an opening and an open/close means provided at the side of the water storage vessel at space corresponding to the predetermined water level. Applicant respectfully disagrees.

1. Kelly does not teach a basin having a bottom wall with an opening in the bottom wall

Referring to the attached picture, Kelly does not have a basin having a bottom wall with an opening:



In fact, Kelly does not teach a basin separate from the separation vessel. The "opening" asserted by the Examiner is not IN a bottom wall, instead, it is ABOVE the bottom wall of the separation vessel. Clearly, if part C is a basin, an opening IN its bottom will drain out the whole content before separation. This would destroy the function of Kelly.

2. Kelly does not teach a separation vessel underneath the basin communicating with the basin via the opening

As shown in the picture, Kelly does not have a discrete structure as a basin. Kelly's separation vessel is directly under a cooking board B. Kelly does not teach a separation vessel underneath a basin communicating with the basin via an opening.

3. Kelly does not teach an open/close means in a place located at said predetermined water level

Claim 5 recites "an open/close means in a place located at said predetermined water level". No where in Kelly is such an open/close means placed in the place located at predetermined water level taught. The opening part D2 is well above the water level. It is designed for overflow of oil. A large portion of the separated oil is always left in the vessel and can not be totally recovered by simply opening part D2.

Therefore, Kelly does not teach the above three unique features of claims 5 and 7 -8. Claims 5 and 7-8 are patentable over Kelly.

D. Claim Rejections under 35 USC § 103

Claim 6 had been rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of Maranville, and Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly in view of Hirshstein.

Claims 6 and 9 depends on Claim 5. As demonstrated above, Kelly does not teach the limitations of a basin having a bottom wall with an opening in the bottom wall, a separation vessel located under the basin and an open/close means provided at the side of the water storage vessel at the predetermined water level. Maranville and Hirshstein do not teach or suggestion these features either.

The above undisclosed features provide substantial advantages. The separate basin structure and the underneath separation vessel are suitable to receive wastewater, not only the cooking oils on the cooking board. The open/close means being placed at the predetermined water level facilitates total recovery of the oil separated from the

wastewater. Therefore, it is respectfully submitted the combination of Kelly and Maranville or Hirshstein does not render the subject matter in the dependent Claims 6 and 9 obvious.

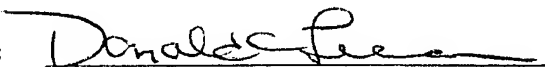
Applicants respectfully submit that the cited references do not teach or suggest the claimed invention and the claims 5-9 are patentable over the cited references standing alone or in combination.

F. Conclusion

It is respectfully submitted that application is in condition for allowance, and such action is hereby requested. Should any fees or extensions of time be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account # 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By: 

Donald c. Lucas, 31275
(Attorney for Applicant(s))
475 Park Avenue South
New York, New York 10016

DCL/YDC